

BOARD OF SUPERVISORS  
COUNTY OF YORK  
YORKTOWN, VIRGINIA

Resolution

At a regular meeting of the York County Board of Supervisors held in York Hall, Yorktown, Virginia, on the \_\_\_\_ day of \_\_\_\_, 2005:

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Present

Vote

James S. Burgett, Chairman  
Walter C. Zaremba, Vice Chairman  
Sheila S. Noll  
Kenneth L. Bowman  
Thomas G. Shepperd, Jr.

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On motion of \_\_\_\_\_, which carried \_\_\_\_, the following resolution was adopted:

A RESOLUTION DECLARING THE NECESSITY TO ENTER UPON  
AND TAKE CERTAIN TEMPORARY CONSTRUCTION EASEMENTS  
IN CONNECTION WITH THE FOXWOOD DRAINAGE PROJECT

WHEREAS, it is necessary to obtain certain easements in connection with the Foxwood drainage project; and

WHEREAS, for various reasons, the County is not able to obtain from the owners of such property clear title to the interests in real estate necessary, or no agreement has been reached as to the consideration to be paid for the said interests; and

WHEREAS, plats of the interests in real property to be acquired have been prepared by Mitchell-Wilson Associates, P.C. and appraisals of such interests have been prepared; and

WHEREAS, § 15.2-1905 (C), Code of Virginia, authorizes the Board to adopt a resolution following a public hearing on the matter declaring its intent to enter and take specified properties, rights-of-way or easements for such purposes as constructing, installing, expanding, maintaining, or repairing pipelines, meter boxes, pumps, or any other appurtenances to a sewerage disposal and water system;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_, 2005, that the Board finds that it is necessary for the protection and preservation of the public health, safety and welfare, and for the timely completion of the Foxwood drainage project, for the County, its officers, employees and

agents to enter upon and take the interests in real property described below prior to the initiation of condemnation proceedings.

BE IT FURTHER RESOLVED that the interests to be taken, and the compensation and damages, if any, offered by the County for each are the following, which interests are more particularly described on the plat attached to the Report of the County Attorney dated January 26, 2005, and incorporated herein by this reference:

Tax Map Parcel 29-159A

A temporary construction easement as shown on a plat entitled "Plat of Easement Conveyance from John Stokes to County of York, Virginia, TM# 29-159A, Located: Bethel Magisterial District, York County, Virginia," dated June 29, 2004, and revised September 14, 2004, prepared by Mitchell-Wilson Associates, P.C. and designated as a "Temporary Construction Easement, Area = 917.61 S.F. or 0.02 AC." Value offered to owner: \$57.00.

Tax Map Parcel 29-159

A temporary construction easement as shown on a plat entitled "Plat of Easement Conveyance from Michelle D. Lacey to County of York, Virginia, TM# 29-159, Located: Bethel Magisterial District, York County, Virginia," dated June 29, 2004, and revised September 14, 2004, prepared by Mitchell-Wilson Associates, P.C. and designated as a "Temporary Construction Easement, Area = 256.83 S.F. or 0.01 AC." Value offered to owner: \$50.00.

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this \_\_\_\_ day of \_\_\_\_\_, 2005, that the Chairman of the Board of Supervisors, the County Treasurer and the County Attorney are hereby authorized and directed, for and on behalf of the County, to execute a certificate to be recorded in the Office of the Clerk of the Circuit Court for York County, certifying the amount set forth above as the fair value, and damages if any, of the interests to be taken, will be paid the owners in accordance with the provisions of State law and upon order of the Court.

BE IT STILL FURTHER RESOLVED that the County Attorney be, and he is hereby, authorized, if necessary and appropriate, at any time following the date of this Resolution, to institute condemnation proceedings in the name of the Board of Supervisors to acquire title to the interests in the property described above, including, if necessary, any other easements or restrictions that may affect the easements sought to be acquired, and to do all things necessary as a prerequisite thereto.